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IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(CHHATTISGARH)

WRIT PETITION.NO. 3990 /2003

PETITIONER : Shahid Khan, S/o. Shri Basir Khan, Occupation- Assistant Forman, Surakachar/ Colliery 3 & 4, South Eastern Coal Fields Limited, Korba, District Korba, Chhattisgarh

VERSUS

RESPONDENTS : 1. South Eastern Coal Fields Limited, Through: Chief General Manager, Bilaspur, District Bilaspur, Chhattisgarh

2. General Manager Surakachar/ 3/4 Colliery, South Eastern Coalfields Ltd P.O. Bhairotal, District Korba, Chhattisgarh

P. R. No. 3998/03
Presented by Shri Sanjeev U. Agrawal
dated 23.12.03

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 3990/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17.12.2003 Petitioner by Shri Sanjeev Agarwal, Advocate. Heard. By this writ petition under Article 226/227 of the Constitution of India the petitioner has challenged the order dated 16.9.2003 Annexure P/1 by which the petitioner has been informed that he will be retiring on 31st December, 2003 on attaining the age of 60 years. The petitioner's case is that he is working as Assistant Foreman in Soorakachar/3-4 Colliery of South Eastern Coalfields Limited, Korba since 1967. In the year 1987 the details regarding service book were made available to the petitioner vide Annexure P/2. On receiving Annexure P/2, on the reverse side of this document the petitioner made a note that his date of birth has been wrongly ~~informed~~ recorded and his date of birth is 4.2.1951 but the same has not been corrected. Now the Deputy General Manager vide letter dt. 16.9.2003 informed the petitioner that he will be retiring on 31.12.2003 whereas the correct date of birth is 4.2.1951. The petitioner had his early education in Govt. Higher Secondary School, Korba and thereafter a certificate was issued by that school in which the date of birth of the petitioner is recorded as 4.2.1951. The petitioner also submitted his income tax return Annexure P/4 in which he has made his date of birth as 4.2.1951. Learned counsel for the petitioner submitted that the petitioner may be allowed to make a representation to the	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 3990/03

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 5 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Respondent No.2 and to get the age ~~to be verified from~~ determined by the age determination committee.

Having heard learned counsel for the petitioner and having regard to the transfer certificate issued by the Korba School, I am of the opinion that it is a fit case in which the petitioner should be allowed to make a representation to the Respondent No.2. Therefore, the petitioner is allowed to make a detailed representation to the Respondent No.2 raising all his grievances within a period of 5 days from today and the Respondent No.2 will refer the case of the petitioner to the age determination committee within another three days and the age determination committee will decide the age of the petitioner after going through the documents as also after getting the petitioner medically examined before 31st December, 2003.

With the above observations this petition is disposed of finally.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

Thakur

[पीछे देखिये